

FEDERAL REGISTER

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Washington, Wednesday, November 2, 1938

The President

EXECUTIVE ORDER

ESTABLISHING THE INTERDEPARTMENTAL COMMITTEE ON PRINTING AND PROCESSING

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

1. There is hereby established the Interdepartmental Committee on Printing and Processing, to be composed of representatives of each of the following-named departments and agencies, and such other departments or agencies as the Committee itself may designate:

Bureau of the Budget
Government Printing Office
Department of Agriculture
Department of the Interior
Treasury Department
Department of Commerce
Social Security Board
United States Tariff Commission
Post Office Department

2. Each department or agency represented on the Committee shall have one representative, who shall be designated by the head thereof.

3. Pending selection of a permanent chairman by the Committee the representative of the Bureau of the Budget shall serve as its temporary chairman.

4. The members of the Committee shall be officers or employees of the department, independent establishment, or agency which they represent and shall serve without additional compensation.

5. The Committee shall promulgate rules and regulations relating to the establishment, coordination, and maintenance of uniform policies and procedures, consistent with law, for the efficient and economical utilization of printing and processing in the executive branch of the Government.

FRANKLIN D ROOSEVELT
THE WHITE HOUSE,
October 29, 1938.
[No. 7998]

[F. R. Doc. 38-3288; Filed, November 1, 1938; 12:43 p. m.]

EXECUTIVE ORDER

TRANSFERRING TO THE SECRETARY OF COMMERCE THE RECORDS AND PROPERTY OF THE OFFICE OF THE ADMINISTRATOR OF THE CENSUS OF PARTIAL EMPLOYMENT, UNEMPLOYMENT AND OCCUPATIONS, AND AUTHORIZING THE EMPLOYMENT OF CERTAIN EMPLOYEES OF THAT OFFICE WITHOUT REGARD TO THE COMPETITIVE REQUIREMENTS OF THE CIVIL SERVICE RULES

By virtue of and pursuant to the authority vested in me as President of the United States and by the provisions of paragraph Eighth, subdivision SECOND, section 2 of the Civil Service Act (22 Stat. 403, 404) it is hereby ordered as follows:

1. All records, files, equipment, and property of every kind of the Office of the Administrator of the Census of Partial Employment, Unemployment and Occupations, established by Executive Order No. 7711, of September 22, 1937,¹ pursuant to the act approved August 30, 1937 (50 Stat. 883), shall be transferred effective as of November 1, 1938, to the custody and control of the Secretary of Commerce.

2. William C. Cole, George H. McEwen, Mrs. Margaret M. Martin, and Frank R. Wilson, who have served with merit under the said Administrator, may be appointed to appropriate positions in the classified civil service without compliance with the competitive requirements of the Civil Service Rules, subject to their establishing requisite qualifications before the Civil Service Commission.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 31, 1938.

[No. 7999]

[F. R. Doc. 38-3289; Filed, November 1, 1938; 12:43 p. m.]

¹ 2 F. R. 1891 (2221 DI).

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Rules, Regulations, Orders

TITLE 19—CUSTOMS DUTIES

BUREAU OF CUSTOMS

[T. D. 49734]

CUSTOMS REGULATIONS OF 1937 AMENDED TO PERMIT OTHER CUSTOMS PERSONNEL, IN ADDITION TO SAMPLERS, WHEN SO DIRECTED AND WITH THE APPROVAL OF THE APPRAISER, TO TAKE SAMPLES

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in section 624 of the Tariff Act of 1930 (U. S. C. title 19, sec. 1624), paragraph (g) of article 1389 of the Customs Regulations of 1937¹ is hereby amended to read as follows:

(g) In addition to samplers, other customs personnel, when so directed and with the approval of the appraiser, shall take samples.

[SEAL] J. H. MOYLE,
Commissioner of Customs.

Approved, October 26, 1938.

STEPHEN B. GIBBONS,

Acting Secretary of the Treasury.

[F. R. Doc. 38-3285; Filed, November 1, 1938; 12 m.]

¹ 2 F. R. 1740 (2035 DI).

TITLE 26—INTERNAL REVENUE

BUREAU OF INTERNAL REVENUE

[T. D. 4869]

AUTHORIZING SPECIALLY DENATURED ALCOHOL FORMULA NO. 23-H

USE IN MANUFACTURE OF RUBBING ALCOHOL COMPOUNDS

To District Supervisors, Chemists in Charge, Authorized Chemists, and Others Concerned:

Pursuant to authority conferred by the Act of June 7, 1906 (U. S. C., Title 26, Sec. 1320), and Title III of the National Prohibition Act, (U. S. C., Title 27, Sec. 71, et seq.), the following specially denatured alcohol Formula No. 23-H is hereby authorized:

To every 100 gallons of ethyl alcohol 190° proof add 8 gallons of Acetone U. S. P. and 1.5 gallons of Methyl Isobutyl Ketone.

Treasury Decision 4743¹ is hereby modified so as to provide that specially denatured alcohol Formula No. 23-H may be used in the manufacture of rubbing alcohol compounds. Rubbing alcohol compounds manufactured with specially denatured alcohol Formula No. 23-H must contain 70 per cent absolute ethyl alcohol by volume or as near 70 per cent as is practicable to be obtained by the ordinary commercial methods used for compounding alcoholic preparations. In order that finished products shall contain 70 per cent absolute ethyl alcohol by volume, the manufacturer shall use 103.3 fluid ounces of specially denatured alcohol Formula No. 23-H to which must be added $\frac{1}{2}$ avoirdupois ounce of sucrose octa acetate, and then made up to 1 gallon with water.

Standard Formula for Rubbing Alcohol Compounds Manufactured with Specially Denatured Alcohol Formula No. 23-H:

SDA Formula No.	
23-H.....	103.3 Fluid ounces.
Sucrose Octa Acetate.....	$\frac{1}{2}$ Avoirdupois ounce.
Water, qs.....	1 gallon.

The manufacturer of rubbing alcohol compounds may also add to the formula such other odorous constituents or medicaments as is desired, provided they are shown in the formula submitted for approval and the finished product contains 70 per cent absolute alcohol by volume.

Manufacturers desiring to manufacture rubbing alcohol compounds shall submit quantitative formulae and labels for these preparations on Form 1479-A, in quadruplicate, to the district supervisor, who will handle them in accord-

¹ 2 F. R. 1105 (1321 DI).

ance with the provisions set forth in Treasury Decision 4743.

Rubbing alcohol compounds must be packaged, labeled, and distributed as provided in the second paragraph of Article 146 of Regulations No. 3, as amended by Treasury Decision 4743.

This regulation shall become effective on the date of its approval.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, October 28, 1938.

JOHN W. HANES,

Acting Secretary of the Treasury.

[F. R. Doc. 38-3286; Filed, November 1, 1938; 12 m.]

TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

VETERANS' ADMINISTRATION

ORTHOPEDIC AND PROSTHETIC APPLIANCES¹

SEC. 6.6115 (a) Artificial limbs and other orthopedic or prosthetic appliances of a permanent type may be purchased, made or repaired; and special clothing made necessary by the wearing of such appliance may be supplied, for persons entitled under Sec. 6.6060, to out-patient treatment for a service-connected disease or injury which, in medical judgment, requires such service.

(b) Artificial limbs and other orthopedic and prosthetic appliances of a permanent type may be furnished persons entitled to the benefits of out-patient treatment under Sec. 6.6060, when in medical judgment deemed necessary as adjunct treatment for a disease or injury associated with and aggravating the disability from a service-connected condition under treatment.

(c) Artificial limbs and other orthopedic and prosthetic appliances, or special clothing made necessary by the wearing of such appliance, may, upon medical determination and authorization, be furnished beneficiaries hospitalized for treatment under the provisions of Sec. 6.6047, subject to these conditions: (1) when the disability requiring an artificial limb or appliance is service-connected; (2) when the artificial limb or other appliance is required as adjunct to a service-connected disability; (3) when the non-service-connected condition for which a patient is hospitalized itself requires a prosthetic appliance, or is associated with another non-service-connected disease or injury necessitating an artificial limb or other prosthetic appliance (auxiliary treatment). An artificial limb will not be repaired or replaced by a new limb merely because of any or all surgical treatment of a stump, such as treatment of a stump ulcer or neuroma. Such repair or replacement

¹ Revision of Section 6.6115.

will be in order when, as a result of reamputation, a change in stump contour is caused which necessitates supply of a new limb or alteration of the artificial limb that had been in use prior to such surgical intervention.

(d) Members in domiciliary (barracks) status will be supplied artificial limbs or other orthopedic or prosthetic appliances, or repairs thereof, or special clothing made necessary by the wearing of such appliance, subject to the same provisions as (c) hereof applying to patients receiving hospital treatment.

(f) For furnishing of appliances to hospitalized patients other than ex-members of the military or naval forces, and retired officers or retired enlisted men of the regular establishment, and for procedure in supply or repair of orthopedic and prosthetic appliances, see currently effective medical procedure. (October 31, 1938.) (Secs. 1, 2, 46 Stat. 1016; 38 U. S. C. 11, 11a, 241-250) (Ex. Order 5476, November 4, 1930).

[SEAL]

FRANK T. HINES,
Administrator.

[F. R. Doc. 38-3282; Filed, October 31, 1938;
3:25 p. m.]

Notices

CIVIL AERONAUTICS AUTHORITY.

[Special Order 401-A-0]

EXEMPTING BRANIFF AIRWAYS, INC., RELATIVE TO CERTAIN AIR TRANSPORTATION SERVICE TO BE RENDERED BY SAID AIR CARRIER BETWEEN DALLAS AND SAN ANTONIO, TEXAS, VIA AUSTIN, TEXAS

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 17th day of October 1938.

The Civil Aeronautics Authority, acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, and particularly sections 205 (a) and 416 (b) thereof, and finding that such action is pursuant to and consistent with the provisions of the Act and that the enforcement of the provisions of section 401 (a) of the Act would be an undue burden on Braniff Airways, Inc., in so far as the provisions of said section are applicable to the air transportation service hereinafter exempted from said provisions, hereby makes and promulgates the following special order:

Braniff Airways, Inc., is hereby exempted from the provisions of section 401 (a) of the Civil Aeronautics Act of 1938, with respect to transportation by such air carrier of mail, passengers and property on one of its schedules known as Trip 7 to operate between Dallas and San Antonio, Texas, via Austin, Texas, until December 31, 1938, and, if before that time such air carrier shall apply to the Authority for a certificate of public convenience and necessity with respect

to a route between Dallas and San Antonio, Texas, via Austin, Texas, as a new route (as distinguished from an application pursuant to clause (e) of section 401 of the Act), then and in that case this exemption shall continue until the Authority shall have issued such a certificate to such carrier or until it shall have entered an order denying such application, whichever of such events shall first occur. This exemption is granted, subject to the condition that, during all times while it shall continue to be in effect, said air carrier shall have a valid air carrier operating certificate issued by the Authority with respect to its operations between Dallas and San Antonio, Texas, via Austin, Texas, and that such air carrier, during all times while this exemption is in effect, shall comply with all applicable provisions and requirements of the Civil Air Regulations.

By the Authority.

[SEAL]

PAUL J. FRIZZELL,
Secretary.

[F. R. Doc. 38-3283; Filed, November 1, 1938;
9:41 a. m.]

[Special Tariff Permission C. A. A. No. 2]

FILING, POSTING, AND PUBLISHING OF TARIFF REVISION BY UNITED AIR LINES TRANSPORT CORPORATION

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 28th day of October 1938.

Application having been made by United Air Lines Transport Corporation under Rule 10 of Regulation 403-A-1 for permission to file, post, and publish on less than the 30 days' notice of any proposed tariff change required by section 403 (c) of the Civil Aeronautics Act of 1938, first revision of page 71 of United Air Lines Transport Corporation Local and Joint Passenger Tariff C. A. A. No. 1; and

It appearing, That one-way fares were erroneously published in the table of round-trip excursion fares between Pittsburgh, Pa., and Portland, Oreg., and Seattle, Wash., such fares being published to be effective between the dates of 12:01 a. m., November 1, 1938, to 11:59 p. m., December 14, 1938; and that the new revised page 71 will show the correct round-trip excursion fare of \$175.10 instead of the one-way fare inadvertently published of \$117.20; and that correction should be made as soon as possible so that erroneous sales will not be made.

Now therefore, the Civil Aeronautics Authority finding that its action in such respect is desirable in the public interest, and acting pursuant to the authority vested in it by section 403 (c) of the Civil Aeronautics Act of 1938, hereby makes and promulgates the following special tariff permission:

[3 F. R. 2274 DL]

It is ordered, That United Air Lines Transport Corporation may file, post and publish its first revision of page 71 of United Air Lines Transport Corporation Local and Joint Passenger Tariff C. A. A. No. 1, which is in loose leaf form, upon one day's notice, provided that such revised page shall bear a notation to the effect that it is authorized by this special permission.

By the Authority.

[SEAL]

PAUL J. FRIZZELL,
Secretary.

[F. R. Doc. 38-3284; Filed, November 1, 1938;
9:41 a. m.]

[Special Order 401-A-10]

EXEMPTING TRANSCONTINENTAL AND WESTERN AIR, INC., RELATIVE TO AIR TRANSPORTATION SERVICE TO BE RENDERED BY SAID AIR CARRIER OVER A ROUTE FROM PHOENIX, ARIZONA, TO LAS VEGAS, NEVADA, VIA PRESCOTT AND KINGMAN, ARIZONA, AND BOULDER CITY, NEVADA

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C. on the 31st day of October 1938.

Upon consideration by the Authority of the application of Transcontinental and Western Air, Inc., for exemption from the provisions of section 401 (a) of the Civil Aeronautics Act of 1938 in so far as the provisions of said section are applicable to the air transportation service to be rendered by said air carrier from Phoenix, Arizona, to Las Vegas, Nevada, via Prescott and Kingman, Arizona and Boulder City, Nevada, the Authority is of the opinion and finds that:

(1) The applicant was, prior to May 14, 1938, and is now an air carrier engaged in the rendition of an interstate air transportation service and as such air carrier is subject to the provisions of the Civil Aeronautics Act of 1938, and the jurisdiction of the Civil Aeronautics Authority.

(2) Said air carrier, prior to, on and since May 14, 1938, was and has been continuously engaged in the rendition of scheduled air line transportation service and was then and still is possessed of a valid Scheduled Airline Competency Certificate therefor, issued by the Secretary of Commerce.

(3) On or about the 23rd day of June, 1938, and prior to the effective date of section 401 of the Civil Aeronautics Act of 1938, a contract for air mail service over a route from Phoenix, Arizona, to Las Vegas, Nevada, via Prescott and Kingman, Arizona, was awarded by the United States Post Office Department to Transcontinental and Western Air, Inc., authorizing said air carrier to engage in the transportation of mail over said route. By the terms of said contract the Post Office Department reserved the right to prescribe additional intermediate stops. Air mail service over said route

was provided for by the Act of Congress making appropriations for the Treasury Department and the Post Office Department, approved March 28, 1938. Said route is specifically set forth in section 401 (e) (2), Clause (E) of the Civil Aeronautics Act of 1938.

(4) On or about October 28, 1938 the Post Office Department authorized Transcontinental and Western Air, Inc. to include Boulder City, Nevada, as a regular intermediate stop on the route described in Finding (3).

(5) The present enforcement of the provisions of section 401 (a) of the Civil Aeronautics Act of 1938, in so far as the provisions of said section are applicable to the air transportation service to be rendered by said air carrier over the route described in Finding (3), including the intermediate stop at Boulder City, Nevada, would be an undue burden on said air carrier by reason of the unusual circumstances affecting the operations of such air carrier, with respect to said air transportation service, and such enforcement would not be in the public interest.

The Civil Aeronautics Authority, therefore, pursuant to the authority vested in it by sections 205 (a) and 416 (b) of the Civil Aeronautics Act of 1938, hereby makes and promulgates the following Special Order:

[Special Order 401-A-10]

EXEMPTING TRANSCONTINENTAL AND WESTERN AIR, INC., FROM THE PROVISIONS OF SECTION 401 (A) OF THE CIVIL AERONAUTICS ACT OF 1938 IN SO FAR AS THE SAME ARE APPLICABLE TO THE AIR TRANSPORTATION SERVICE TO BE RENDERED BY SAID AIR CARRIER OVER A ROUTE FROM PHOENIX, ARIZONA, TO LAS VEGAS, NEVADA, VIA PRESCOTT AND KINGMAN, ARIZONA, AND BOULDER CITY, NEVADA

Transcontinental and Western Air, Inc., is hereby exempted from the provisions of section 401 (a) of the Civil Aeronautics Act of 1938 with respect to transportation by such air carrier of mail, passengers and property over a route from Phoenix, Arizona, to Las Vegas, Nevada, via Prescott and Kingman, Arizona, and Boulder City, Nevada, during the period from the date hereof until such time as the Authority shall issue a Certificate of Convenience and Necessity for the air transportation service over such route to said air carrier or shall issue its final order denying the application of said air carrier for such certificate. This exemption is granted subject to the condition that during all times while it shall continue to be in effect, said air carrier shall have a valid air carrier operating certificate issued by the Authority with respect to its operations on such route and that such air carrier shall, during all such

times, comply with all applicable provisions and requirements of the Civil Air Regulations.

By the Authority.

[SEAL]

PAUL J. FRIZZELL,
Secretary.

[F. R. Doc. 38-3287; Filed, November 1, 1938;
12:25 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 31st day of October, A. D. 1938.

[File No. 1-2248]

IN THE MATTER OF THE REGISTRATION OF
SIMON SILVER-LEAD MINES, INC. COMMON CAPITAL STOCK, \$1 PAR VALUE

ORDER FOR HEARING

I

It appearing to the Commission:

That Simon Silver-Lead Mines, Inc., a corporation, is the issuer of Common Capital Stock, \$1 Par Value; and

That said Simon Silver-Lead Mines, Inc., registered such security on the San Francisco Mining Exchange, a national securities exchange, by filing on or about November 13, 1935, an application with the said Exchange and with the Commission, pursuant to Section 12 (b) of the Securities Exchange Act of 1934, as amended, and pursuant to Rule X-12B-1, as amended, formerly designated as Rule JB1, promulgated by the Commission thereunder; and

That pursuant to Section 13 (a) of said Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2, formerly designated as Rules KA1 and KA2, respectively, promulgated by the Commission thereunder, said Simon Silver-Lead Mines, Inc. filed on or about April 30, 1936, and on or about May 1, 1937, its annual reports on Form 10-K for the respective fiscal years ended December 31, 1935, and December 31, 1936; and

That said Rule X-13A-1 promulgated pursuant to Section 13 (a) of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That said Rule X-13A-2 promulgated pursuant to Section 13 (a) of said Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be

used for the annual reports of all corporations except those for which another form is specified and that no other form was or is specified for use by the said Simon Silver-Lead Mines, Inc.; and

II

The Commission having reason to believe:

That Simon Silver-Lead Mines, Inc. has failed to comply with said Section 13 (a) and the Rules and Regulations promulgated thereunder in that the annual report filed by it for the year ended December 31, 1936,

(1) Fails to list Mr. B. B. Bryan as the parent of the registrant and his respective percentage of voting stock, although required by Item 1 of said Form 10-K and the Instructions thereto;

(2) Fails to include information concerning the general effect of material contracts and arrangements made or in effect within the fiscal year not previously reported, including the dates thereof and names of parties thereto, although required by Item 5, paragraph (b), of said Form 10-K and the Instructions thereto;

(3) Fails to set forth in Schedule III the policy followed by the registrant with respect to provisions for depreciation, depletion and amortization, although required by Item 8 of said Form 10-K and the Instructions thereto;

(4) Fails to include in Schedule VIII the number of shares of common stock owned by its parent, Mr. B. B. Bryan, although required by Item 8 of said Form 10-K and the Instructions thereto; and

That the said Simon Silver-Lead Mines, Inc., has also failed to file the information and documents required by said Rule X-13A-1, adopted by the Commission pursuant to said Section 13 (a) in that it has failed to file its annual report for the year ended December 31, 1937, on Form 10-K, as prescribed by Rule X-13A-2 adopted by the Commission pursuant to said Section 13 (a); and

III

The Commission being of the opinion that pursuant to Section 19 (a) (2) of said Securities Exchange Act of 1934, as amended, a hearing should be held to determine whether said Simon Silver-Lead Mines, Inc. has so failed to comply with said Section 13 (a) and said Rules and Regulations promulgated by the Commission thereunder, and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding 12 months or to withdraw the registration of said Common Capital Stock, \$1 Par Value, on the said San Francisco Mining Exchange;

It is ordered, That a public hearing be held for such purpose before the officer of the Commission herein designated beginning on the 16th day of November, 1938, at 10:00 A. M. at the Regional Office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California, and to continue thereafter at such times and places as said officer may determine; and

It is further ordered, That for the purpose of such proceedings, John Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant

or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By direction of the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 38-3290; Filed, November 1, 1938;
12:50 p. m.]

*United States of America—Before the
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 1st day of November, A. D. 1938.

[File No. 32-80]

IN THE MATTER OF THE GREENVILLE ELECTRIC LIGHT AND POWER COMPANY

ORDER CONSENTING TO WITHDRAWAL OF APPLICATION UNDER PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 PURSUANT TO REQUEST OF APPLICANT

The Commission, upon the request of the applicant, consents to the withdrawal of the above-captioned application, and to that effect

It is so ordered.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 38-3291; Filed, November 1, 1938;
12:50 p. m.]

